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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

12

Application Number

10/776,355

Filing Date

02/11/2004

First Named Inventor

Ralph J. Koerner

Art Unit

3765

Examiner Name

Brian Kauffman

Attorney Docket Number

202/547 US

### ENCLOSURES (Check all that apply)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name: Arthur Freilich  
FREILICH, HORNBAKER & ROSEN

Signature:

Date: 18 November 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Ralph J. Koerner



Examiner : Brian Kauffman  
Art Unit : 3765

Applic.: 10/776,355

Filed: 02/11/2004

For: QUILTING METHOD AND APPARATUS:

Commissioner for Patents  
Alexandria VA 22313-1450

AMENDMENT

On 09 November 2004, applicant Ralph J. Koerner and his attorney Arthur Freilich attended a personal interview with USPTO examiners P. Nerbun and B. Kauffman to discuss (1) the Office Action dated 21 September 2004 concerning US Application 10/776,355 and (2) the Written Opinion dated 17 September 2004 concerning PCT Application PCT/US04/03717. The US and PCT applications contain identical claim sets (claims 1-34).

The US Office Action indicated that claims 31-34 were allowed and that claim 26 would be allowed if presented in independent form. The remaining claims were rejected based on US Patent 5,664,508 (Mulcahey) taken alone or in combination with US Patent 4,982,667 (Nomura) and US Patent 6,470,813 (Ebata).

The PCT Written Opinion indicated that claims 9, 27, 30 and 31-34 satisfied the criteria of novelty, inventive step, and industrial applicability. The remaining claims 1-8, 10-26, 28, 29 were held to lack novelty based on one or more of the following US patents: 3,799,084 (Furnari), 4,565,140 (Martell) and 4,742,789 (Pestel).

At the aforementioned interview, the references cited in both the Office Action and the Written Opinion were discussed with respect to all of the independent claims at issue. It was pointed out and acknowledged that the cited references fail to suggest applicant's invention for stitching together a stack of layers as the stack is manually guided across a bed beneath an actuatable stitch head by first detecting stack surface movement and then

1 responding to the detected movement exceeding a certain magnitude for actuating the  
2 stitch head. More particularly, the references cited (in the Office Action, the Written  
3 Opinion, and the Information Disclosure Statement filed in the US application on 1  
4 November 2004), taken individually or in combination, fail to teach or suggest the  
5 combination of a detector for detecting movement of a stack surface oriented parallel to a  
6 supporting bed and control circuitry for responding to detected surface movement for  
7 actuating a stitch head when the movement exceeds a certain magnitude. The claimed  
8 combination functions to automatically synchronize the delivery of stitches to the stack  
9 movement to thus produce uniform stitches in the stack while allowing the user to freely  
10 move the stack within a wide speed range in virtually any direction across the bed.

11 As indicated in the Interview Summary report prepared by Messrs Nerbun and  
12 Kauffman, agreement was reached that independent claim 1 would be amended to clarify  
13 that the stack surface whose movement is detected is oriented parallel to the bed. It was  
14 further agreed that independent claims 10, 21, 23, and 28 would be similarly amended.  
15 These amendments, as well as minor clarifying amendments in dependent claims 8 and 13,  
16 are shown in the attached Claim Listing.

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1 In view of the foregoing remarks and the aforementioned interview, it is courteously  
2 urged that this application is now in condition for allowance.

3  
4 Respectfully submitted,

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ARTHUR FREILICH